

Attorney Docket No. B45326

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mayeresse et al. July 2, 2007
Serial No.: 10/533,464 Group Art Unit No.: 1648
Filed: March 3, 2006 Examiner: B. P. Blumel
For: IMMUNOGENIC COMPOSITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

This paper is in response to the Restriction Requirement mailed February 14, 2007, having a shortened statutory period for reply of 1 month. Claims 1-32 are pending in the application. Claims 1-32 are subject to a restriction requirement and/or election requirement. Applicants desire to reply as follows.

Applicants hereby petition for a 4-month extension of time for response from the date of the Examiner's action. Authorization is hereby granted to charge \$1,590.00 to Deposit Account 19-2570. Should the Patent and Trademark Office determine that the fee calculated in the above extension petition is not deemed sufficient to have this response considered as being timely filed, this constitutes a petition for extension of time for the minimum period to effect timely filing, and the Commissioner is authorized to debit any necessary fee to said deposit account.

Restriction to one of the following is required under 35 U.S.C. §121 and 372:

Group I. Claims 1-15 and 20-24, drawn to an immunogenic composition.

Group II. Claims 16-19, drawn to a method of making a vaccine.

Group III. Claims 25-32, drawn to a method of preserving a vaccine.

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Election of Species

The Examiner states that this application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

- A. A specific capsular saccharide antigen as stated in claims 2 and 6.
- B. A specific *N. meningitidis* as stated in claims 7 and 32.
- C. A specific characteristic of the dried composition as stated in claims 11-14.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added.